



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|--------------------------|---------------------|------------------|
| 10/809,653 | 03/25/2004 | Hrishikesh Pramod Gogate | 2003-0864.02 | 7488 |
| 21972 | 7590 | 06/14/2005 | EXAMINER | |
| LEXMARK INTERNATIONAL, INC. INTELLECTUAL PROPERTY LAW DEPARTMENT 740 WEST NEW CIRCLE ROAD BLDG. 082-1 LEXINGTON, KY 40550-0999 | | | VARGAS, DIXOMARA | |
| | | ART UNIT | PAPER NUMBER | |
| | | 2859 | | |
| DATE MAILED: 06/14/2005 | | | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/809,653 | GOGATE ET AL. | |
| | Examiner | Art Unit | |
| | Dixomara Vargas | 2859 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-20 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 25 March 2004 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Horrall et al. (US 6,253,046 B1).

With respect to claims 1, 13 and 18, Horrall discloses a printing apparatus comprising (Figures 1-3): a machine frame (#28); a cover assembly pivotally connected to said machine frame (#38) and moveable between closed and opened positions (Column 4, lines 58-63); a fuser assembly mounted in said machine frame (#24), said fuser assembly including; a hot roll (#32); a pressure roll (#34) for forming a fuser nip with said hot roll (Abstract); and loading means applying force to said pressure roll against said hot roll ; a nip release mechanism operable on said loading means to alternately position said loading means in loading and unloading conditions of said pressure roll against said hot roll (Columns 6-7, lines 58-67 and 1-8 respectively; Figure 3, #130 and #132 in #22); and a linkage assembly interconnecting said cover assembly and said nip release mechanism for operating said nip release mechanism by moving said cover assembly between opened and closed positions (#88).

3. With respect to claims 2 and 17, Horrall discloses a fuser frame removably mounted in said machine frame (#90b).

4. With respect to claims 3, 14, 15 and 19, Horrall discloses a cam rotatably mounted in said machine frame and a cam follower rotatably mounted in said fuser frame (#126, #128, #130 and #132).
5. With respect to claims 4, 11 and 16, Horrall discloses a locking means for securing said pressure roll in an open nip position (#146 and #148).
6. With respect to claims 5 and 12, Horrall discloses an arm on said cam follower engageable with a locking structure on said fuser frame (#126 and #128).
7. With respect to claim 6, Horrall discloses a bell crank and a spring (#138, #140, #142 and #144).
8. With respect to claim 7, Horrall discloses said cam follower being engaged with said bell crank for moving said bell crank by movement of said cam follower (Figure 3).
9. With respect to claim 8, Horrall discloses said cam follower being moveable angularly relative to said bell crank (Figure 3).
10. With respect to claim 9, Horrall discloses said cam follower frictionally engaged by said cam, for angular movement of said cam follower relative to said bell crank upon rotation of said cam (Column 6, lines 20-67).
11. With respect to claim 10, Horrall discloses said bell crank having a slot (hole by #142), and said cam follower having an enlarged head received in said slot of said bell crank (#130 side connected to #142).
12. With respect to claim 20, see rejection of claims 1, 4, and 5 above.

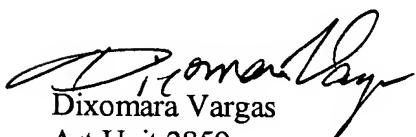
Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The additional prior art cited in the PTO 892 discloses printing means including a release mechanism.

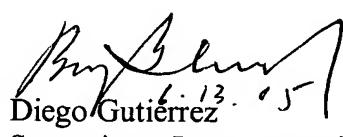
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dixomara Vargas whose telephone number is (571) 272-2252. The examiner can normally be reached on Monday to Thursday from 8:00 am. to 4:30 pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diego Gutierrez can be reached on (571) 272-2245. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Dixomara Vargas
Art Unit 2859
June 11, 2005



fc
Diego Gutierrez
Supervisory Patent Examiner
Technology Center 2800